

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth Stewart Confirmation No. 6917
Serial No.: 10/634,368 Art Unit: 3775
Filed: August 6, 2003 Examiner: Nelson, Christine L.
For: Bone Instrumentation Cover Or Shield

SUBMISSION OF DECLARATION UNDER 37 C.F.R. 1.132

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Barnes & Thornburg Customer No:
23646
U.S. Patent and Trademark Office

Sir:

In partial response to the 08 February 2010 office action, please consider the attached declaration. The declaration provides evidence that the rejection based on Barron (U.S. Patent Publication No. 2003/0163161) is improper.

A meeting scheduled for 27 May 2010 with the examiner and undersigned counsel for applicant is set to discuss the issues raised by the 08 February 2010 office action. Applicant will file a response to the office action shortly after meeting with the examiner.

Respectfully submitted,
BARNES & THORNBURG LLP

/ Richard B. Lazarus /

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